UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE JEFFREY T. MILLER)

UNITED STATES OF AMERICA, Plaintiff, v. RICARDO PALOS, Defendant.	)	CASE NO. 08CR0547-JM DECLARATION OF ELIOT MOYA-MENDOZA

I, Eliot Moya-Mendoza, state as follows, under penalty of perjury:

1. On August 7, 2007, I was arrested on the Interstate 8 freeway.

2. I was a passenger in a sport utility vehicle that Mr. Palos was allegedly driving.

3. I was crouched down, in the rear cargo area of the vehicle, behind the rear bench-seat.

4. Once everyone was placed in the vehicle, an individual instructed all of us as a group to stay crouched down and hidden.

5. I was located in the corner of the rear cargo area of the vehicle. While in the rear cargo area, I could see the rear bench-seat of the vehicle.

6. As a passenger in the vehicles' cargo area, I never saw a passenger elevate their head from the rear bench-seat area. As such, I also did not see anyone look out behind our vehicle from the rear bench-seat area.

7. I did not feel the vehicle swaying from side to side.

8. I did not feel the vehicle swerving.

I swear that to the best of my knowledge and memory, the foregoing is true and correct this 21 st day of May, 2008.

Eliot Moya Mendoza
ELIOT MOYA-MENDOZA
Declarant